

LAW OFFICES
HALEY BADER & POTTS P.L.C.

4350 NORTH FAIRFAX DR., SUITE 900

ARLINGTON, VIRGINIA 22203-1633

TELEPHONE (703) 841-0606

FAX (703) 841-2345

POST OFFICE BOX 19006

WASHINGTON, D.C. 20036-9006

TELEPHONE

(202) 331-0606

RICHARD M. RIEHL

RECEIVED

MAR 22 1996

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

March 22, 1996

OUR FILE NO.

1083-101-

Mr. William F. Caton, Acting Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

DOCKET FILE COPY ORIGINAL

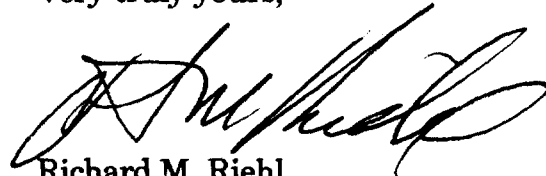
Re: PETITION FOR RULEMAKING
FT. BRAGG-WILLITS, CALIFORNIA

Dear Mr. Caton:

On behalf of Henry Radio Company, licensee of Station KLLK(FM), Ft. Bragg, California, please find enclosed an original and four copies of its Petition for Rulemaking to reallocate FM Channel 228B from Ft. Bragg to Willits, California and to modify the license of Station KLLK(FM) accordingly.

Should you have any questions concerning this matter, please contact the undersigned directly.

Very truly yours,



Richard M. Riehl

RMR/jb

Enclosures

cc(w/encl.): Nancy Joyner (Allocations Branch)

No. of Copies rec'd
List ABCDE

24

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Before The
Federal Communications Commission

Washington, D.C. 20554

In the Matter of)

Amendment of Section 73.202(b))
Table of Allotments)
FM Broadcast Stations,)

Ft. Bragg and Willits)
California)

MM Docket No.

RM No.

RECEIVED

MAR 22 1996

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

TO: Chief, Mass Media Bureau

PETITION FOR RULE MAKING

Henry Radio Company ("HRC"), licensee of Station KLLK(FM) Channel 228B, Ft. Bragg, California, by its attorneys and pursuant to Section 307(b) of the Communications Act and Section 1.420(i) of the Rules, hereby requests the Commission to amend the FM Table of Allotments (Section 73.202(b) of the Rules) as follows:

<u>CITY</u>	<u>PRESENT</u>	<u>PROPOSED</u>
Willits, California	<u>NONE</u>	228B
Ft. Bragg, California ¹	228B, 237B1, 253B1	237B1, 253B1

and to modify the license of Station KLLK(FM) accordingly. In support of this request, the following is respectfully submitted:

BACKGROUND

In 1991 HRC constructed KLLK-FM, Ft. Bragg, California as a Class A facility on Channel 244 and placed it in operation. Even though

¹ Ft. Bragg-Mendocino is generally regarded as a single market area. According to Section 73.202(b) of the Rules, Channel 224A in Mendocino is also allocated to this market.

024

HRC would have preferred an allocation at Willits, at that time, Ft. Bragg was the only community in the area where Channel 244 could be allocated as a Class B FM allotment. However, a little over a year later, a Petition For Rulemaking was filed seeking the substitution of Channel 228B for 244B at Ft. Bragg to permit co-channel Station KZZP(FM) at Paradise, California to upgrade that allocation from Class A to Class B1.²

The modification of KLLK-FM's license to operate on Channel 228B became effective on October 26, 1992.³ At that time HRC tried to find a reference point east of Fort Bragg that would permit this expanded service while continuing to provide a city grade signal to all of Ft. Bragg. However, the rugged mountainous terrain between Ft. Bragg and Willits makes it virtually impossible to find a location capable of fully developing the coverage potential of Channel 228B while continuing to place a city grade signal over Ft. Bragg.⁴ Consequently, the only alternative available is to move KLLK-FM to Willits where there is a great need for the nighttime service KLLK-FM will be able to provide.⁵

DISCUSSION

Section 1.420 (i) of the Rules authorizes the Table of Allotments to be amended and modification of the license of an FM station to specify a new community of license where the amended allotment would be mutually exclusive with the present assignment. However, the

² See Declaration of Brian Henry attached hereto as Exhibit 1, page 1.

³ See Report and Order, DA 92-1128 released September 9, 1992 (MM Dkt. No. 92-86).

⁴ See e.g., FCC letter dated October 30, 1992 refusing to change the reference point at Ft. Bragg, in part, because of terrain obstructions. Exhibit 2 hereto, Paragraph 4.

⁵ Exhibit 1, p. 1-2.

Commission has emphasized that such changes in the Table of Allotments must satisfy the objectives of 47 USC § 307(b):

“...To insure that our intent is clear, however, we hereby state unequivocally that Section 1.420(i) was adopted to further the Commission's long standing pursuit of the goals underlying Section 307(b) of the Act, and that any changes in the FM and TV Tables of Allotments must be consistent with those goals.”

Modification of FM & TV Authorizations to Specify a New Community of License, 5 FCC Rcd 7894, 7895 (1990) on reconsideration (“Recon. Order”). This proposed change in allotments satisfies all of the criteria and objectives.

MUTUAL EXCLUSIVITY

According to HRC's Consulting Engineers, Hammett & Edison, the proposed allocation of Channel 228B to Willits, California, is mutually exclusive with the present allocation of the Channel at Ft. Bragg, California (Exhibit 3, p. 1)⁶.

307(b) MANDATE IS SATISFIED

First Local FM Service for Willits

This proposed change in the Table of Allotments will bring Willits its first local commercial FM service and a first local nighttime service to areas outside the city limits of Willits⁷. Willits is an

⁶ Hammett & Edison's report is included as Exhibit 3 hereto. Exhibit 3 p. 1 reflects a distance of 35.5 kilometers between KLLK-FM's licensed facilities and the Willits reference point whereas the required spacing between co-channel Class B allotments is 241 kilometers.

⁷ Station KLLK(AM), Willits has a nighttime interference free contour of 10.03 mV/m which barely reaches beyond the Willits city limits. See Exhibit 3 Figure 3. Educational FM Station KZYZ (Ch. 218B1) is licensed to Willits. That station, however, repeats the programming of Station KZYX, Philo, California (Ch. 214B1) and hence provides no local programming to the Willits area. See Exhibit 1 p.3 and Attachment I.

incorporated community with a population of 5,119⁸. It has a city manager/city counsel form of government and has its own police department, a unified school district, hospital, library and the City of Willits also provides other municipal type services to its residents and surrounding areas. Moreover, Willits provides emergency, educational and community services to a much larger area that presently has no local nighttime radio service.⁹

Five Local Services Will Remain In Ft. Bragg-Mendocino

There are currently six radio stations assigned to the Ft. Bragg-Mendocino market.¹⁰ Allotment of Channel 228B to Willits will leave the following local services:

Community	Call	Channel/Freq	Facility
Ft. Bragg	KOZT	Ch 237	Class B1
Ft. Bragg	KSAY	Ch 253	Class B1
Ft. Bragg	KDAC	1230 kHz	1 KW U
Mendocino	KFMB	Ch 224	Class A
Mendocino	KPMO	1300 kHz	5 KW Day

Exhibit 3, p. 1-2.

Greater Than a Fourfold Increase in Areas and Populations from Willits.

From the Willits reference point, the reallocation of Channel 228B will bring a predicted 60dbu service to over 80,000 persons in an area of more than 6,500 sq. kilometers as against a predicted loss of

⁸ Exhibit 4, p. 1. Exhibit 4 is statistical information published by the Willits Chamber of Commerce.

⁹ Exhibit 1, Attachments A-H, Exhibit 3 Figure 3 and Exhibit 4 p. 1-3. Laytonville, Longvale and Dos Rios are, for example, communities that would receive a 60 dBu FM signal from this reallocation of Channel 228 B.

¹⁰ Ft. Bragg and Mendocino are nearly contiguous communities and are regarded locally as a single market. Television Station KFWU (Channel 8) is also licensed to Ft. Bragg.

service to 117 persons in an area of 71 sq. kilometers. Even assuming a complete loss of service from KLLK-FM's existing operation, there would still be a predicted net increase of service to over 62,000 persons in an area of over 6,000 sq. kilometers. (Exhibit 3 p.2) There are apparently at least three radio services to all of the area to be served by this allotment.

No Underserved Areas at Ft. Bragg

As reflected in Exhibit 3 p. 2, there will be a minimum of five(5) full time services to the area that will lose service from the reallocation of Channel 228B to Willits. In this regard, the service areas of KOZT (Ch.237B) and KSAY (Ch.257B1) totally encompass KLLK-FM's licensed facilities.

Section 307(B) Mandates The Willits Allotment

While strictly speaking, this is a case where the Commission must resolve the issue of reallocation of Channel 228B pursuant to Priority (4) "other public interest factors"¹¹, there is a paucity of nighttime service to areas North and East of Willits that look to Willits for news and emergency information (Exhibit 1 p. 2-3 and Attachments A-H)¹². Moreover, the reallocation of Channel 228B will help to right a local service imbalance between Ft. Bragg and Willits -- communities of essentially equal size. Ft. Bragg will still have two FM and one AM station, while Willits would receive its first commercial FM and second local transmission service.¹³

¹¹ *Revision of FM Assignment Policies and Procedures*, 90 FCC 2d 88, 92 (1982)

¹² Educational FM Station KZYX, (Ch. 218B1) is licensed to Willits. That station, however, repeats the programming of Station KZYX, Philo, California (Ch. 214B1) and hence provides no local programming to the Willits area. See Exhibit 1 p.3 and Attachment I.

¹³ Since HRC has committed to activate an FM Booster or Translator at Ft. Bragg, that community will not, in fact, lose the service of KLLK-FM.

CONCLUSION


The foregoing establishes that the requirements of Section 1.420(i) of the Rules are satisfied and that this requested change in the Table of Allotments will further the objectives of Section 307(b) of the Act. The Commission is therefore requested to issue a Notice of Proposed Rule Making to change the Table of Allotments (§73.202(b) of the Rules) as follows:

<u>CITY</u>	<u>PRESENT</u>	<u>PROPOSED</u>
Willits, California	<u>NONE</u>	228B
Ft. Bragg, California ¹⁴	228B, 237B1, 253B	237B1, 253B1

and to modify the license of Station KLLK-FM to specify Willits, California as its licensed community. In the event this request is granted, HRC will promptly file an application to modify KLLK-FM's existing facilities to and to modify the license of Station KLLK-FM to specify Willits, California as its licensed community.

Respectfully submitted,

HENRY RADIO COMPANY


Richard M. Riehl, Esquire
Its Attorney

HALEY BADER & POTTS P.L.C.
4350 North Fairfax Drive
Suite 900
Arlington, VA 22203-1633
703/841-0606
March 22, 1996

¹⁴ Ft. Bragg - Mendocino is generally regarded as a single market area. According to Section 73.202(b) of the Rules, Channel 224A in Mendocino is also allocated to this market.

Henry Radio Company

Petition For Rulemaking

EXHIBITS

- 1. Declaration of Brian Henry**
- 2. FCC Letter Dated October 30, 1992**
- 3. Technical Report of Hammett & Edison**
- 4. Willits Chamber of Commerce Statistical Information**

Henry Radio Company

**Petition For Rulemaking
Exhibit 1**

DECLARATION OF BRIAN HENRY

Declaration of Brian J. Henry

I, Brian J. Henry, Declare:

1. I am a General Partner of Henry Radio Company ("HRC"), licensee of Stations KLLK(AM) Willits and KLLK-FM Fort Bragg, California. I provide this declaration in support of HRC's Petition for Rule Making to change the allotment of KLLK-FM's operating channel from Fort Bragg to Willits, California.

2. I have determined to seek reallocation of Channel 228B to Willits as the best means possible to maximize the coverage potential of KLLK-FM, which includes permitting KLLK-FM to provide service to Northern Mendocino County where, due to the high interference free contour of KLLK(AM) and poor ground conductivity, no local nighttime service is available.

3. In 1991 we constructed KLLK-FM, Ft. Bragg, California with Class A facilities on Channel 244 and placed it in operation. Even though I would have preferred an allocation at Willits, at that time, Ft. Bragg was the only community in the area where Channel 244 could be allocated as a Class B FM allotment. However, a little over a year later, a Petition For Rulemaking was filed seeking the substitution of Channel 228B for 244B at Ft. Bragg to permit co-channel Station KZZP(FM) at Paradise, California to upgrade that allocation from Class A to Class B1.

4. In 1992, at the time KLLK-FM's operating channel was changed to 228B, I tried to find a reference point east of Fort Bragg that would permit this expanded service while continuing to provide a city grade signal to all of Fort Bragg. However the rugged mountainous terrain between Fort Bragg and Willits makes it virtually impossible to find a location capable of fully developing the coverage potential of Channel 228B while continuing to place a city grade signal over Fort Bragg.

5. Consequently, the only alternative available to me is to move KLLK-FM to Willits where there is a great need for the nighttime service KLLK-FM will be able to provide. I do not, however, intend to abandon Fort Bragg. The population in the Fort Bragg/Mendocino area is concentrated along the Coast and can be adequately covered by a directionalized Booster/Translator station at KLLK-FM's present transmitter location.

6. I have included as Attachments A through H letters I received from community leaders for submission with the Petition for Rule Making from: Mr. John Pinches, Mendocino County Third (Willits area) District Supervisor; Mr. James Tusso, Mendocino County Sheriff-Coroner; Chief David J. Thomen, Brooktrail Fire District; Mr. Gordon Logan, Willits City Manager and Directory of Emergency Services; Chief Robert E. Foster, Willits Police Department; Chief Jeff Smith, Little Lake Fire District; Superintendent Rod Gabrielson, Willits Unified School District; and Battalion Chief Martin Wattenburger, California Department of Forestry -

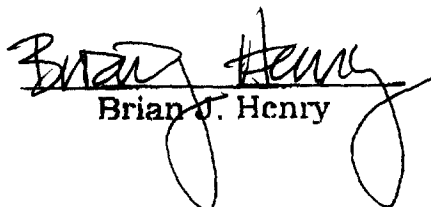
Willits area; describing the need for a reliable night time service in the Willits area.

7. Attachment I to this Declaration is the most recent KZYX, Philo, California newsletter/ program guide which confirms that while Non-commercial FM Station KZYX (Ch. 218B1) Willits has begun broadcasting, it is being operated as a repeater of Station KZYX and thus provides no local program service to the Willits area.

8. In the event the Commission permits the reallocation of Channel 228B from Fort Bragg to Willits, I hereby commit to promptly move forward to effect the changes, including the establishment of a Booster/Translator station at or in the vicinity of KLLK-FM's present transmitter location in Fort Bragg.

I have read the foregoing consisting of eight (8) numbered paragraphs, the attachments hereto, as well as the Petition for Rule Making to which it is attached and declare, under penalty of perjury, that the facts set forth therein are true and correct to the best of my knowledge, information or belief.

Dated: March 20, 1996


Brian J. Henry

Henry Radio Company

**Petition For Rulemaking
Exhibit 1
Attachments**

- A. Letter from County Supervisor**
- B. Letter from Sheriff - Coroner**
- C. Letter from Brookdale Fire Chief**
- D. Letter from Willits City Manager**
- E. Letter from Willits Police Chief**
- F. Letter from Fire Chief Littlehold District**
- G. Letter from School Superintendent**
- H. Letter from State Forest Service**
- I. Press Release re KZYZ**

JOYCE A. BEARD
CLERK OF THE BOARD

COUNTY OF MENDOCINO
BOARD OF SUPERVISORS
UKIAH, CALIFORNIA 95482

Office Address:
301 South State Street
Ukiah, California 95482

Mailing Address:
Courthouse
Ukiah, California 95482

Telephone:
(707) 463-4221
FAX: (707) 463-4245

September 27, 1995

Federal Communications Commission
1919 M St Northwest
Washington, D.C. 20553

Re: Mr. Brian Henry - KLLK - FM Radio - 96.7
12 West Valley St.
Willits, CA 95490

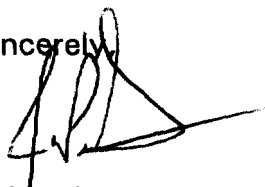
To Whom It May Concern:

I am a Supervisor for the 3rd District in Mendocino County and I wish to take this opportunity to express my support for KLLK Radio's request to relocate its FM station from Fort Bragg to Willits, California. If this request is approved, it would enhance the service to the residents of our North County area.

KLLK has been an integral part of our community for the past 10 years and a key component of our Emergency Response system. Therefore, the FM base in Willits would greatly enhance public safety in the event of an emergency/disaster by its ability to reach out to surrounding areas that now have undependable or non-existent radio service.

Thank you for the opportunity to allow me to convey my support for Mr. Henry's request on behalf of KLLK Radio. If you have any questions, please do not hesitate to contact me.

Sincerely,


John Pinches
3rd District Supervisor

THE BOARD OF SUPERVISORS

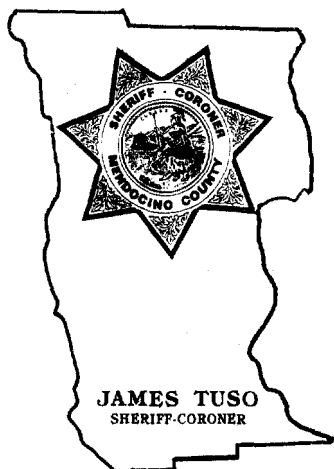
SEIJI SUGAWARA
FIRST DISTRICT

FRANK McMICHAEL
SECOND DISTRICT

JOHN PINCHES
THIRD DISTRICT

LIZ HENRY
FOURTH DISTRICT

CHARLES F. PETERSON
FIFTH DISTRICT



OFFICE OF THE
SHERIFF-CORONER
COUNTY OF MENDOCINO

September 21, 1995

LARRY GANDER
UNDERSHERIFF

Federal Communications Commission
1919 M St Northwest
Washington DC 20553

Re: Mr. Brian Henry ~ KLLK - FM Radio - 96.7
12 West Valley St
Willits CA 95490

To whom it may concern:

I wish to take this opportunity to express my support for KLLK Radio's request to relocate its FM station from Fort Bragg, California, to Willits, California. Approval of this request would enhance the service to the residents of our North County area, particularly during emergency conditions.

KLLK Radio and Mr. Henry have been a part of the Willits community and surrounding area for over ten years, and has provided residents with a vehicle by which to turn to during emergency situations. KLLK Radio is well respected among local and state public safety agencies for their spirit of cooperation and willingness to get involved and help in our times of need.

I cannot over emphasize the importance of accurate and continued communications during an emergency or long term incident. Public safety oftentimes rely upon the cooperation of the media to project their message to the community during such circumstances.....KLLK Radio is a media source that we can rely upon to get our message out. They are to be commended for their steadfast devotion and public safety commitment to the community.

Therefore, I join with my counterparts in public safety in asking that the Commission consider the issuance of FM service to KLLK for the Willits area and surrounding communities.

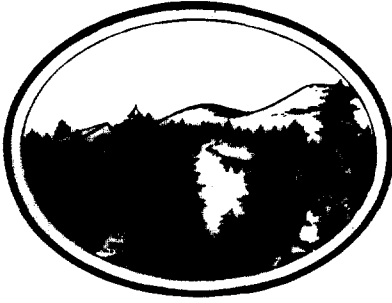
Thank you for the opportunity to allow me to voice my support for Mr. Henry's request on behalf of KLLK Radio. If you have any further questions, please do not hesitate to call upon me.

Sincerely,



JAMES TUSO
SHERIFF-CORONER

IT/dkm cc: File66



BROOKTRAILS TOWNSHIP FIRE DEPARTMENT

24860 BIRCH STREET
WILLITS, CA 95490
(707) 459-4441

September 5, 1995

Federal Communications Commission
1919 M Street Northwest
Washington D.C. 20553

RE: KLLK Radio, 12 West Valley Street, Willits, CA 95490

TO WHOM IT MAY CONCERN:

I strongly support the addition of FM service by KLLK radio to the Willits/Brooktrails area. Brooktrails is a hillside community with 1400 homes of which the AM service does not cover completely.

The FM service for the area would greatly enhance the present system for several reasons. The main reason for us is we have the ability to talk directly to KLLK via 2 way radio. Thus during emergencies in the Brooktrails area we are able to notify residents about the status of the emergency as well as if evacuation is needed.

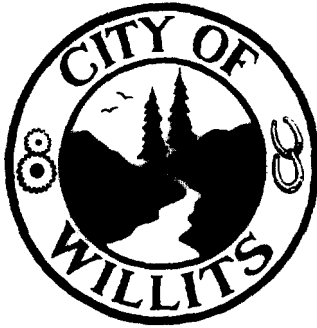
KLLK radio has been an intergral part of Brooktrails for over 10 years now, and ownership has been the same for that period of time. We have KLLK listed in our evacuation packet as the station to tune to for information on evacuation route to take as well as other necessary information. Our concern is that many of the areas in Brooktrails are not able to receive the present AM station.

Please consider the issuance of FM service to KLLK for the Willits/Brooktrails areas. If you have any questions please do not hesitate contacting me.

Sincerely,

A handwritten signature in cursive script that reads "David J. Thomen".

David J. Thomen, Fire Chief
Brooktrails Fire Department



ATTACHMENT D

CITY OF WILLITS

CITY HALL – 111 East Commercial Street, (707) 459-4601 • Fax (707) 459-1562
POLICE DEPARTMENT – 125 East Commercial Street, (707) 459-6122 • Fax (707) 459-0400
Willits, California 95490

September 6, 1995

Federal Communications Commission
1919 M Street Northwest
Washington, D.C. 205553

RE: KLLK - FM Radio, 12 West Valley Street, Willits, California 95490

Dear Commissioners:

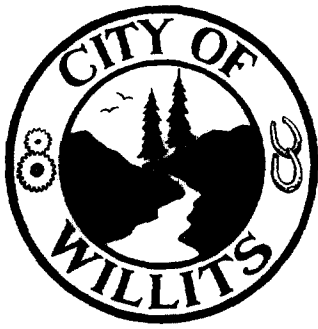
On behalf of the City of Willits, I strongly urge your support and approval of KLLK Radio's request to move its FM base from Fort Bragg, California to Willits, California. As you are aware, Fort Bragg presently has three FM stations - Willits has none.

KLLK AM has been an integral part of our community for the past ten years and, importantly, a key component of our Emergency Response System. Their AM signal, however, is very limited in the surrounding Willits area due to mountainous terrain, especially at night. The FM base in Willits would greatly enhance public safety in the event of an emergency/disaster by allowing us to reach out to surrounding areas that now have undependable or non-existent radio service or none at this time.

Your consideration of our request is appreciated. If you have any questions or require further information, please contact me at City Hall (707) 459-4601.

Sincerely,

Gordon Logan
City Manager and
Director of Emergency Services



CITY OF WILLITS

CITY HALL – 111 East Commercial Street, (707) 459-4601 • Fax (707) 459-1562
POLICE DEPARTMENT – 125 East Commercial Street, (707) 459-6122 • Fax (707) 459-0400
Willits, California 95490

September 5, 1995

Federal Communications Commission
1919 M Street Northwest
Washington DC 20553

TO WHOM IT MAY CONCERN:

RE: KLLK - FM Radio
12 W. Valley Street
Willits CA 95490

The purpose of this letter is to express support for KLLK Radio to move its FM station from Fort Bragg, California to Willits, California.


KLLK AM is the only station many people in the Willits area are able to rely on for community service information such as school closures, power outages, road conditions, and other emergency issues.

It is my understanding that there are three commercial FM stations serving Fort Bragg currently while Willits, a comparably sized city, has none.

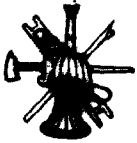
The terrain in Willits is rugged and KLLK AM is limited in its ability to serve the residents who live in the hills and communities immediately adjacent to the City of Willits.

I urge approval of KLLK Radio to move its FM station to Willits, California. If I can assist further please contact me.

Sincerely,


Robert E. Foster
Chief of Police

REF:bjh



Little Lake Fire District

74 East Commercial Street • Willits, California 95490 • (707) 459-6271
Fax — (707) 459-7898

JEFF SMITH
Fire Chief

ATTACHMENT F

August 29, 1995

Federal Communications Commission
1919 M Street Northwest
Washington D.C. 20553

TO WHOM IT MAY CONCERN:

RE: KLLK - FM Radio
12 West Valley Street
Willits, California 95490

I strongly support KLLK Radio moving its FM base from Fort Bragg, California to Willits, California as Fort Bragg has three FM stations and Willits does not have any FM oral service. The KLLK AM signal is very limited in the surrounding Willits area due to the mountainous terrain, especially at night.

The FM station would greatly contribute to public safety in the event of an emergency or disaster by allowing us to reach out to surrounding areas that have undependable radio service or none at all at this time. This would include the Hearst area and Pine Mountain Estates to the east, Longvale and Laytonville to the north, Irmulco to the west and Ridgewood Ranch and Subdivision to the south.

KLLK AM has been an integral part of our community for ten years and has always been a part of our Disaster Preparedness Organization.

If you need anything further, please contact me.

Sincerely,

Jeff Smith
Fire Chief

JS/bg



WILLITS UNIFIED SCHOOL DISTRICT
48 West Commercial Street
Willits, California 95490
(707) 459-5314
FAX (707) 459-7862

ATTACHMENT G
***Board of Trustees**
Mike Temple, President
Bill Singleton, Clerk
Walt Hess
Larry Stranske
Rhonda Winchester

September 19, 1995

Federal Communications Commission
1919 M Street Northwest
Washington DC 20553

TO WHOM IT MAY CONCERN:

RE: KLLK - FM Radio
12 W. Valley Street
Willits, CA 95490

I am writing this letter to express our support for KLLK Radio to move its FM station from Fort Bragg, California to Willits, California. There are three FM stations in Fort Bragg and Willits does not have any FM service. The KLLK AM signal is very limited in the surrounding Willits area due to the mountainous terrain, especially at night.

KLLK AM is the only radio station in Willits that the community can rely on for emergencies such as school closures, power outages, road conditions or any other emergency that may come up.

I strongly urge the approval of KLLK Radio to move its FM station to Willits, California. If you need any further assistance please contact me.

Sincerely,

Rod Gabrielson
District Superintendent

Nov. 16, 1995

CA. DEPT. OF FORESTRY
17501 N. HWY. 101
WILLITS, CA. 95490

FEDERAL COMMUNICATIONS COMMISSION
1919 M ST. NORTHWEST
WASHINGTON D.C. 20553

RE: KLLK FM RADIO STATION

TO WHOM IT MAY CONCERN:

I strongly support KLLK FM Radio Station moving its base from Fort Bragg to Willits California. The Willits area does not have an FM Station while Fort Bragg has three. The current KLLK AM signal is not strong enough to cover the area surrounding Willits adequately due to the mountainous terrain.

The Ca. Dept. of Forestry and other local government agencies utilize KLLK during times of natural disaster such as wildfires and floods. We also use KLLK to notify the area residents of impending large control burns which we conduct to reduce the fire hazards in the local subdivisions. This has proved to be a valuable asset by preventing panic and by keeping the public informed.

I feel that KLLK FM would be valuable part of our area Disaster Preparedness Organization.

Sincerely,



Martin Wattenburger
Battalion Chief

Mendocino County Public Broadcasting



Radio Waves

New Program Schedule Inside!!

Volume 6, Number 1 • January - March 1996



KZYX Profile: Toast & Jam

Ellen Hering and Karen Almquist

Ellen Hering:

I had nothing to do with Mendocino County Public Broadcasting's noble inception; rather I started with the glamorous position of 'volunteer' (read: stuff envelopes, file, vacuum, empty the trash, clean the bathroom, etc.). I certainly had no intention of being on the air, but had plenty of opinions about what other people did there. During KZYX's first year, a slot opened up and some of my cohorts convinced me that I too could do a show. With my wildly varied taste in music, which ranges from mellow to downright weird, what would I play? The answer was, pretty much whatever I wanted. How could I resist?



Ellen Hering

Tuesday Morning Toast & Jam was born.

Thus, through the years, listeners of Toast & Jam (no longer a morning show) have joined me on a merry ride, follow-



Karen Almquist

ing my musical phases and hormonal imbalances. (Can anyone identify the PMS shows?) Recently I have enjoyed

Continued, page 2

UPCOMING EVENTS

Carnaval de Mendocino

The fifth annual Carnaval de Mendocino will be a Costume Fantasy Ball, and is scheduled to be held at Crown Hall in Mendocino, on Saturday, February 17th. The event, a production of the Mendocino Coast Jazz Society, will feature the music of Blue Bop, Kajimbo, and DJ Sister Yasmin, with additional performers to be announced later. KZYX-KZYZ will host the bar, and Lu's Kitchen will provide food. This event is always the social event of the winter season on the Coast, so don't miss it!

Black History Month and Women's History Month

KZYX-KZYZ will air special programming for Black History Month in February, and for Women's History Month in March. Stay tuned for those special shows.

SEE PAGE 2

FALL PLEDGE WRAP

Thank you everyone who renewed or became new members during our October Pledge Drive in '95. Some stats:

Total Pledged:	\$50,095
Total Pledges:	879
New Members:	306

Thanks to all who helped out — office volunteers, phone answerers, food donors, premium givers, programmers, guest pitchers, and staff. Without all of you we just couldn't do it.

SPRING PLEDGE DRIVE...APRIL '96

KZYZ Is Up and Running!

Mendocino County Public Broadcasting's inland repeater has been running since August 25th, bringing a strong signal, especially to Willits, Ukiah, Redwood Valley and Potter Valley. Its performance has surpassed our most optimistic predictions. It has brought a wave of support from the inland communities, reflected in our recent Fall Pledge Drive, the most successful ever.

The repeater was planned for over three years, as an inevitability to kick our signal over the coastal ranges between the Cold Springs transmitter near Philo and the inland valleys. It received its final approval from the National Telecommunications and Information Administration a year ago, and Chief Engineer Ron O'Brien, with Consulting Engineer Gray Haertig, assembled the components on Laughlin Peak, this past summer. In simple terms, the repeater 'reads' the KZYX signal from the Cold Springs transmitter, changes it from 90.7 FM to 91.5 FM, and feeds it through a 1,000 watt transmitter, with an effective radiated power of 567 watts, in a 360 degree pattern. In many areas, listeners can pick up both frequencies.

The eventual vision is that remote studios throughout Mendocino County will be able to send programming over the airways. An inland steering committee has taken that vision to task, and has begun planning fund-raising efforts to begin the process. A satellite studio with recording and production facilities has been established in Mendocino, in cooperation with the Regional Occupational Program's audio studios, producing the Silver Reel Award-winning radio theatre program 'Running Still'. It is hoped that a satellite studio in the inland portion of Mendocino County will soon be created.

Toast & Jam (from page 2)

based record, featuring my bottleneck guitar and finger picking techniques. I'll be doing mostly original material, as well as tunes by Muddy Waters, Bob Dylan, Gene Parsons and Bonnie Blackwell. This will be my first solo record in quite awhile. Over the past few years I've recorded with poet Robin Rule and songwriter Bonnie Blackwell. So this project will be more of a representation of what I do, more blues and a little more folksy.

Is there anything else you'd like to say?

I would just like to thank the listening audience for their support over these past few years. There is nothing more rewarding for a programmer than receiving phone calls during a show, expressing interest in and enthusiasm for the music. It definitely is what keeps me going. And thanks to Ellen Hering for creating a show that supports singer-songwriters and performers around the country by giving them a radio audience. And obviously a big thanks to the dedicated staff and members of KZYX for keeping the boat afloat.

KZYX-YZ On Line

Members and listeners can now utilize E-mail to correspond with and about Mendocino County Public Broadcasting. The E-mail address is KZYX@pacific.net. If you have a computer and modem, take the time to check it out! Annie Esposito has been posting information regularly. Thanks, Annie, for keeping us online!

KZYX Board Members:

Bruce Haldane	Inland
Bruce Hering	Anderson Valley
Jimmy Humble*	Programmer Rep.
Jim Jackson*	Coast
Carroll Pratt*	Anderson Valley
Jamie Roberts	Coast
Anne Rogers	Anderson Valley
Jim Tarbell	Coast
Justine Toms	Inland

*Term of office expiring at the end of 1995

KZYX Staff:

Mary Aigner
Underwriting Coordinator
Gordon Johnson
News Director
Ron O'Brien
Chief Engineer
Steve Rubin
Music Director
Nicole Sawaya
Program Director & Management
Jack Tysseling
Operations Director & Management
Shelia Leighton
Bookkeeper

Office Volunteers:

Caroline Bonfield
Carrie Pratt
Judy Long

MCPB Board Elections

All current members of Mendocino County Public Broadcasting are eligible to vote for new Board members. There are two at-large positions open, and one Coastal Board position. If your ballot is not enclosed, please call KZYX to find whether your membership is up to date.

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Henry Radio Company

**Petition For Rulemaking
Exhibit 2**

**FCC LETTER
DATED OCTOBER 30, 1992**

FEDERAL COMMUNICATIONS COMMISSION

WASHINGTON, D.C. 20554

OCT 30 1992

IN REPLY REFER TO:
1800D3

Richard M. Riehl, Esq.
Haley, Bader & Potts
Suite 900
4350 N. Fairfax Drive
Arlington, VA 22203

Dear Mr. Riehl:

This is in response to the petition for reconsideration filed on behalf of The Henry Radio Company ("Henry Radio"), licensee of Station KLLK-FM, Fort Bragg, California, of the Commission's Report and Order in MM Docket No. 92-86, 7 FCC Rcd 5939 (1992), which substituted Channel 228B for Channel 244B at Fort Bragg and modified the license for Station KLLK-FM accordingly to accommodate the unopposed proposal of Paradise Broadcasting, Inc., for modification of its license for Station KZZP (FM), Paradise, California, to specify operation on Channel 244B1.

Henry Radio seeks a change in the reference coordinates specified in the Report and Order for Station KLLK-FM. It claims that the use of alternate reference coordinates will provide greater flexibility in site selection and will permit Station KLLK-FM to maximize its signal coverage to Mendocino County. Therefore, Henry Radio requests a change in the reference coordinates for Channel 228B to specify a transmitter site approximately 30.5 kilometers (19 miles) east of Fort Bragg at coordinates 39-21-46 and 123-28-31.

Section 1.429 of the Commission's Rules governs the provisions under which the Commission will reconsider a rule making action. Specifically, Section 1.429 permits grant of a reconsideration request premised on facts not previously presented to the Commission under the following circumstances: (1) the facts relate to events which have occurred or circumstances which have changed since the last opportunity to present them to the Commission; (2) the facts relied on were unknown to the petitioner until after the last opportunity to present them and it could not have learned of the facts through the exercise of ordinary diligence; or (3) the Commission determines that consideration of the facts relied on is required in the public interest. After carefully considering Henry Radio's petition for reconsideration, we find that it does not relate to new or changed circumstances from those existing at the time of the issuance of the Report and Order. Henry Radio could have presented its site change request to the Commission during the comment and reply comment period. Henry Radio's lack of legal counsel during the course of the rule making proceeding does not excuse its failure to timely submit the information contained in its petition for reconsideration.

Even if Henry Radio had timely presented its request to change reference coordinates, we would find the requested site unacceptable. A staff engineering analysis indicates that operation from the alternately selected site would present a line-of-sight service problem to the community of Fort Bragg, in contravention of Section 73.315 of the Commission's Rules. Our analysis